

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ADAM DEAN FOX, et al.,

Defendants.

CASE No. 1:20-CR-183

HON. ROBERT J. JONKER

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ORDER

The Court held a Final Pretrial Conference in this matter on February 18, 2022. The Court discussed a number of issues with the parties, and both sides requested an opportunity to provide further briefing on some of them. The issues included the ordering of proofs where (at least at present) only Defendant Fox has requested a jury instruction on an entrapment defense; the government's request for the use of pseudonyms for two testifying witnesses; and invited argument as framed in *United States v. Johnson*, 583 App'x 503, (6th Cir. 2014). Counsel for Defendant Caserta also alerted the Court that he would be filing a motion that at least touches on some of the issues raised in an earlier motion. (ECF No. 241). Upon request of Defendant Caserta, Defendants Fox, Croft, Harris, and Caserta are permitted to use an electronic communication device during trial in this matter. W.D. Mich. LGenR. 4.3(c)(viii). Counsel for defendants shall ensure their clients understand recording of proceedings is strictly prohibited and that any transmission capability or connection to the internet in devices used by their clients is disabled.

Briefing and/or motions on these issues are due no later than **February 25, 2022**. The above list is by no means exhaustive. The parties should certainly attempt to first work out any

remaining issues with the opposing side. But as the parties continue to prepare and hone their presentations, any evidentiary, procedural, or logistical issues that cannot be resolved should be brought to the Court's attention as soon as practicable. Early identification will permit a reasoned decision and a smooth trial.

IT IS SO ORDERED.

Dated: February 18, 2022

/s/ Robert J. Jonker

ROBERT J. JONKER

CHIEF UNITED STATES DISTRICT JUDGE